

Appl. No. 10/695,210

Amdt. dated February 25, 2008

Reply to Final Office Action of December 31, 2007

REMARKS/ARGUMENTS

Applicants have received the final Office Action dated December 31, 2007, in which the Examiner: 1) rejected claims 1-5, 11-15, 21-22 and 25-32 under 35 U.S.C. § 102(b) as anticipated by Hardwick (U.S. Pat. No. 5,550,816); and 2) rejected claims 6-10, 16-20 and 23-24, under 35 U.S.C. § 103(a) as being obvious over Hardwick in view of Carollo (U.S. Pub. No. 2004/0267866). With this Response, Applicants have amended claims 1, 11, 19, 21, 25, and 28-32 and submit new claims 33-34.

I. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claim 1 has been amended in two regards. First, claim 1 has been amended to specify that the virtual switch is a “source-routed” virtual switch. This amendment is well-supported by the specification at least at paragraphs [0018]-[0020]. Hardwick is directed to destination routing, not source routing. “Each virtual switch includes a decision mechanism for determining an associated directive based on a destination identifier within a particular protocol data unit received.” Col. 6 line 65. See also col. 7 line 1.

Second, claim 1 now requires that the electronic system, which contains the virtual switch, is “an end node in a network.” Hardwick teaches virtualizing a hardware switch. That is, Hardwick’s virtual switch is not in an end node in a network. Applicants are unaware of any art in which an end node contains a switch. Switches are devices that permit communications to be transmitted between end nodes. Hardwick certainly does not teach including a switch—physical or virtual—in an end node.

For at least these reasons, claim 1 and its dependent claims are in condition for allowance over Hardwick.

Claim 11 has been amended to specify that at least one end node comprises a virtual switch. Claim 21 has been amended to specify that the virtual switch is a “source-routed” virtual switch that is implemented in “an end node.” Claim 25 has been amended also specify that the switch is a “source-routed virtual switch” that is “implemented in an end node of a network.” Claim 30 has been amended to specify source routing and that the electronic system is an “end

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node" of a network." For much the same reasons as for claim, the remaining independent claims and their dependent claims are allowable over Hardwick.

Amendments were also made to dependent claims 19, 28, 29, 31, and 32 to correct an errant dependency link (claim 19) and to ensure consistency with the amended language of base claims 25 and 30 (claims 28, 29, 31, and 32).

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Dependent claims 6-10, 16-20 and 23-24 depend from independent claims allowable over Hardwick as explained above. Such dependent claims inherit the limitations of their base claims. Carollo does not satisfy the deficiencies of Hardwick. Thus, claims 6-10, 16-20 and 23-24 are allowable over Hardwick in view of Carollo for much the same reason as articulated above regarding their base claims.

III. NEW CLAIM 33-34

Dependent claims 33-34 have been added and contain limitations well-supported by the specification. These claims are allowable for at least the same reason as their base claims. Further, claim 33 requires that the source routing information received by the virtual switch identifies an application. Such is not the case in the art of record. Claim 34 specifies that the "unique identifier assigned to the application is different than an identifier requested for the application." This limitation is not taught or even suggested by the art of record.

IV. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees

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are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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